

The Motion further states, “Counsel has inquired with the Government, which states that it takes no position one way or the other on the matter.” Docket No. 28, p. 2.

As the U.S. Supreme Court has stated:

The freedom to marry has long been recognized as one of the vital personal rights essential to the orderly pursuit of happiness by free men.¹ Marriage is one of the “basic civil rights of man,” fundamental to our very existence and survival.

Loving v. Virginia, 388 U.S. 1, 12 (1967) (citations omitted, footnote added).

Because marriage is such a fundamental right, it is unlikely that Defendant needs the Court’s permission in order to get married. The Court can, however, impose reasonable time, place, and manner restrictions on the marriage ceremony itself. Thus, to the extent that it is necessary and appropriate, Defendant’s “Motion for Permission to Marry” (Docket No. 28) is GRANTED.

The instant Motion provides three options for handling the marriage ceremony itself:

- (1) the Court could give permission for a member of the clergy to enter the lock-up facility to conduct the ceremony there;
- (2) the Court could assign it to a magistrate judge to do; or
- (3) the Court itself could perform the ceremony.

[Defendant] would respectfully request that the Court grant one of these options, or otherwise state how the ceremony should be performed so [Defendant] can make any necessary arrangements.

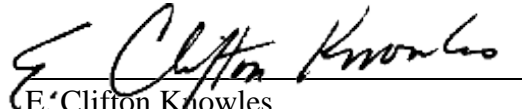
Docket No. 28, p. 1-2.

While the Court has no objection to a member of the clergy performing the ceremony, there are security concerns with regard to having that occur in the lock-up facility. Therefore, the undersigned will be available to conduct the marriage ceremony at 10:00 a.m., March 19,

¹ The Court does not understand the reference to “free men” as pertaining to the incarceration status of an individual.

2012, in the undersigned's courtroom. Normal security procedures will apply, except as approved by the U. S. Marshal Service and the Court. The undersigned will accept no payment or gratuity for performing the ceremony.

IT IS SO ORDERED.


E. Clifton Knowles
United States Magistrate Judge